

- 9 -

**REMARKS**

The present amendment is responsive to the Office Action mailed in the above-referenced case on June 21, 2007. Claims 1-45 are standing for examination. Claims 1-8, 10, 16-23, 25, 31-38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich et al. (US 6,560,329) hereinafter Draginich in view of Andersson (WO 01/01660 as cited in the IDS filed 7/8/05). Claims 9, 24 and 39 are rejected under 35 U.S.C. 103 as being unpatentable over Draginich in view of Andersson and further in view of Dhir (US 6,553,113) hereinafter Dhir. Claims 11, 13-15, 26, 28-30, 41 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich, Andersson and further in view of Goss (US 6,687,241) hereinafter Goss. Claims 12, 27 and 42 are rejected under 35 U.S.C. 103 as being unpatentable over Draginich, Andersson and further in view of Shtivelman (US 5,926,539) hereinafter Shtivelman.

Applicant has carefully noted and reviewed the rejections, references and the Examiner's comments. Applicant herein amends the independent claims to more particularly recite the features deemed patentable by applicant over the art presented by the Examiner. Applicant further presents valid arguments which clearly show the present application, as amended, is clearly patentable over the art presented by the Examiner.

Applicant's independent claims now recite collecting data regarding capability of the target agent resources, including at least application, program and protocol capability. Applicant discloses a plurality of software (SW) instances 61 are provided as distributed applications to PC/VDUs 55-59. SW 61 is adapted in a preferred embodiment as a presence agent capable of monitoring the present state of an agent's communication capabilities and current communication states at each agent station operating in communication center 11. In this example, SW 61 embodies a capability of monitoring and reporting agent communication capabilities according to much finer resolution than is practiced and current art. For example, SW 61 may be adapted to include standard communication capabilities such as e-mail, fax, IP phone, ICQ™ and other chat communication applications, file sharing programs, and any instant messenger applications. SW 61 may also report platform and word application parameters such as

- 10 -

whether or not and agent has PowerPoint™ installed for Macintosh™ and so on. Also, types of media applications and associated platforms may also be reported by SW 61.

Applicant points out that the above capabilities are determined by *monitoring* agent resources. Draginich's system teaches that agent status regarding live services is sent (pushed) from the station upon a change of state of a communication line. There is no motivation in Draginich to monitor because only agent status information is pushed to the controller from the station as the agent state changes.

Applicant argues Andersson merely teaches storing a rule set in a database for use in routing containing the type of media an agent is capable of handling. Applicant argues that there is absolutely no disclosure in Andersson of how the rule set is created in the database, i.e. clearly not by monitoring agent resources, as claimed. The combination of Draginich and Andersson fail to teach monitoring agent resources and collecting agent resource capability information, as claimed in applicant's invention.

Applicant argues that because true monitoring agent resources, as claimed, is not taught or suggested in the art, if a specific communication protocol, application or program capability installed at an agent resource failed in either Draginich or Andersson a call requiring one of said capabilities would still be routed to that agent and the agent would fail to service the call because there is no actual monitoring of agent resources, as claimed.

Agent resources, as claimed, may be dynamic in that applications and programs are commonly deleted, installed and updated on devices and a resource or agent skill table as disclosed in Andersson must be manually updated by a supervisor, etc.. Therefore applicant's invention is a significant advantage not known in the art at the time of applicant's filing of the present application.

Applicant believes independent claims 1, 16 and 31, as amended, are easily patentable over the art provided by the Examiner as argued above. Therefore, dependent claims 2-15, 17-30 and 32-45 are patentable on their own merits, or at least as depended from a patentable claim.

- 11 -

As all of the claims left standing and as amended are clearly shown to be patentable over the art, applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,  
Stephaan Valere Albert Coussement

By Donald R. Boys  
Donald R. Boys  
Reg. No. 35,074

Central Coast Patent Agency, Inc.  
3 Hangar Way, Suite D  
Watsonville, CA 95076  
(831) 768-1755